

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

12 FEB 13 PM 1:41

OFFICE OF THE CLERK

PRO SE CIVIL COMPLAINT

Case No. 8:12CV62
(the court will assign a number)

I. CASE CAPTION: Parties to this Civil Action:

Pursuant to Fed. R. Civ. P. 10(a), the names of all parties must appear in the case caption.
The court will **not** consider a claim against any defendant who is not listed in the caption.

A. Plaintiff(s) Name(s): Address(es): Telephone No. (only if
you are NOT a prisoner)

JAMES M. VARDOL 8204 R. DORRERD CT.
TAMPA, FL 33615
813 451-8126

B. Defendant(s) Name(s): Address(es) If known:

TD AMERITRADE 1005 N. AMERITRADE
PLACE
BELLEVUE NE,
68005

(Attach extra sheets if necessary.)

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U.S. DISTRICT COURT
OMAHA

II. STATEMENT OF CLAIM(S)

State briefly the facts of your claim. Describe how each defendant is involved. You do not need to give legal arguments or cite cases or statutes. Use as much space as you need to state the facts. (Attach extra sheets if necessary.)

A. When did the events occur?

AROUND 2005 TILL 2009

B. What happened?

MY DECEASED BROTHER, PAUL VARDON BOUGHT
5 ^{\$}10,000 AUCTION RATE SECURITIES
FROM THE DEFENDANT AROUND 2005.
HE WAS MIS-INFORMED BY THEM THAT
THESE SECURITIES COULD BE CASHED - 14
AT ANY TIME, WHEN HE DIED IN 2009
I INHERITED THESE INVESTMENTS BUT
COULDN'T CASH THEM IN BECAUSE
THEY WERE NOW CONSIDERED "TOXIC
ASSETS". ONCE I CASHED THEM IN
YEARS LATER, THEY WERE ONLY WORTH
"FACE VALUE" OF ^{\$}10,000 A PIECE.
SO FOR 8 YEARS THEY RETURNED ^{\$}
NO PROFIT. A LOSS OF AROUND 100,000
I CALCULATED.

III. STATEMENT OF JURISDICTION

Check any of the following that apply to this case (you may check more than one):

- ☒ United States or a federal official or agency is a party
- ☐ Claim arises under the Constitution, laws or treaties of the United States
- ☐ Violation of civil rights
- ☐ Employment discrimination
- ☒ Diversity of Citizenship (a matter between citizens of different states in which the amount in controversy exceeds \$75,000)
- ☐ Other basis for jurisdiction in federal court (explain below)

IV. STATEMENT OF VENUE

State briefly the connection between this case and Nebraska. For example, does a party reside or do business in Nebraska? Is a party incorporated in Nebraska? Did an injury occur in Nebraska? Did the claim arise in Nebraska?

THE DEFENDANT'S HOME OFFICE IS IN
THE OMAHA AREA (BELLVUE)

V. RELIEF

State briefly what you want the court to do for you.

I BELIEVE MY BROTHER'S & MY FINANCIAL
LOSS (DUE TO THESE "FROZEN ASSETS") TO BE
AROUND \$100,000, WHICH I WOULD REQUEST THE
COURT MAKE THE DEFENDANT RE-IMBURSE ME.

VI. EXHAUSTION OF ADMINISTRATIVE PROCEDURES

Some claims, but not all, require exhaustion of administrative procedures. Answer the questions below to the best of your ability.

- A. Have the claims which you make in this civil action been presented through any type of administrative procedure within any state or federal government agency?

Yes ☒ SEC No _____

- B. If you answered yes, state the date your claims were so presented, how they were presented, and the result of that procedure:

IN 2009 I WROTE SEC - MIAMI - THEY
TOOK NO ACTION & DID NOT INFORM^{OR HELP} ME
IN ANY WAY

- C. If you answered no, give the reasons, if applicable, why the claims made in this action have not been presented through administrative procedures:

N/A

VII. ARE YOU REQUESTING TRIAL BY A JURY OR BY A JUDGE? (check one):

JURY ~~YES~~ JUDGE _____

VIII. VERIFICATION

I ~~(we)~~ declare under penalty of perjury that the foregoing is true and correct.

Date(s) Executed:

Signature(s) of Plaintiff(s):

2/5/12 James M. Vardon

Note:

IF YOU CANNOT AFFORD TO PAY THE COURT'S FILING FEE UPON THE FILING OF YOUR COMPLAINT, THERE IS A SEPARATE FORM TO BE USED FOR APPLYING TO PROCEED IN FORMA PAUPERIS. Also, if there is more than one plaintiff in the case who wishes to proceed in forma pauperis, each such plaintiff must submit a separate application to proceed in forma pauperis. (ENCLOSED)

MR. J. M. VARDOL
8204 RIGGS BLVD CT
TAMPA, FL 33615

R.L. HRUSKA U.S. COURTHOUSE
111 S. 18TH PLAZA SUITE 1152
OMAHA, NE, 68102

Tampa/St Pete FL 336
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